

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	10/753,947	SIEGEL, STEPHEN B.
	Examiner	Art Unit
	Marianne L. Padgett	1762

All Participants:

Status of Application: Amended

(1) Marianne L. Padgett.

(3) _____.

(2) Thomas Tolpin.

(4) _____.

Date of Interview: 18 January 2007

Time: ~1:00 p.m.

Type of Interview:

Telephonic
 Video Conference
 Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

NA

Claims discussed:

1 & 13

Prior art documents discussed:

NA

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


MARIANNE PADGETT
PRIMARY EXAMINER

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:

Agreed to an Examiner's Amendment, which clarified ambiguous phrasing in the cooling limitation of independent claim 1, corrected inconsistent nomenclature for the claims as amended in claim 13 & further clarified the 10/10/2006 amendment to the specification on page 8.

It was noted that the addition of -- gas -- after "oxygen" may be considered supported by the original specification (p.8) , because the original nomenclature encompassed oxygen gas & the original contradictory phrasing would have led one of ordinary skill in the art when considering the specific given example of carbon dioxide, to such a conclusion, since the example of carbon dioxide clearly contains oxygen, so that the gas being excluded must be oxygen gas, not merely a gas molecule whose components included oxygen & another element, i.e. since hetero molecular compounds such as carbon dioxide were being considered for the heavier-than-air gas, the clearest or most logical intent of the "non-oxygen-containing gas" phrase would have been to exclude oxygen gas. Thus the context of the contradictory and ambiguous phrasing & common chemical knowledge may be considered to provide enablement for the Examiner's amendment to the specification on page 8.